Preliminary Classification:
Proposed Class:
Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

22581 U.S. PTO 10/706809 111203

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): C. Allen Smith; Kenneth B. Close; Richard C. Beck; Jay S. Shultz; David J. Baer; Susan

E. Shawver; Paul W. Estey; Deepak R. Parikh; Kenneth B. Stewart, Jr.

For (title): LAMINATES OF ELASTOMERIC AND NON-ELASTOMERIC POLYOLEFIN

BLEND MATERIALS

1. Type of Application

This application is for a divisional.

2. Benefit of Prior U.S. Application (35 U.S.C. §§ 119(e), 120, or 121)

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.) (Express Mail certification is optional)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date November 12, 2003 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EL 999246338US.

Date: November 12, 2003

Signature of person certifying

Deborah Anne Weiner

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

40 Page(s) of Specification

2 Page(s) of Claims

1 Sheet(s) of Drawing(s)--Informal

B. Other Papers Enclosed

1 Page(s) of abstract

1 Page(s) of Title Page

4. Declaration or Oath

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all of the above-named inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Fee Calculation (37 C.F.R. § 1.16)

Regular Application

CLAIMS AS FILED											
Total Claims (37 C.F.R § 1.16(c))	Number I	Filed	Number Extra			Rate			Basic Fee 37 C.F.R. § 1.16(a) \$750.00		
	15	_	20	=	0	х	\$	18.00	=	\$	0.00
Independent Claims (37 C.F.R § 1.16(b))	2	_	3	=	0	х	\$	86.00	=	\$	0.00

Multiple Dependent Claim(s),
if any (37 C.F.R § 1.16(d)) \$ 280.00 \$ 0.00

Filing Fee Calculation \$770.00

8. Fee Payment Being Made at This Time

Enclosed

Filing Fee \$770.00

Total Fees Enclosed \$770.00

9. Method of Payment of Fees

Attached is check number 23665 in the amount of \$770.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-2548.

A duplicate of this paper is attached.

ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED (37 C.F.R. § 1.78)

10. Relate Back

A. 35 U.S.C. Sections 120, 121 and 365(c)

This application is a divisional of United States Patent Application Serial No. 09/511,403, filed February 21, 2000, which was a non-provisional of Provisional Application Serial No. 60/121,066, filed February 22, 1999, and benefits from the priority of each of these applications.

11. Maintenance of Copendency of Prior Application

No conditional petition for extension of time is required in the pending prior application.

12. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

(a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

13. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

A notification of the filing of this divisional is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: November 12, 2003

Reg. No.: 52,284

Tel. No.: 864-250-2298

Signature of Practitioner

Robert S. Thomas

Nelson Mullins Riley & Scarborough

Keenan Building, Third Floor

1330 Lady Street Columbia, SC 29201 PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCI Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

SUBMITTED BY

Name (Print/Type)

Signature

Robert S. Thomas

(\$)	77(0.0	00
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C	omplete if Known
Application Number	
Filing Date	November 12, 2003
First Named Inventor	C. Allen Smith et al.
Examiner Name	
Art Unit	
Attorney Docket No.	03768/09188 (13267.1)

(Complete (if applicable))

Telephone (864)2502298

November 12, 2003

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
	3. ADDITIONAL FEES					
Deposit Account:		Large Entity Small Entity				
Deposit FO OF 40	Fee Fe Code (\$		Fee Code	Fee (\$)	Fee Description	Fee Paid_
Account Number	•	. 1	2051	65	Surcharge - late filing fee or oath	[
Deposit Account Name Nelson Mullins	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
The Director is authorized to: (check all that apply)	1053 13	30	1053	130	Non-English specification	
Charge fee(s) indicated below Credit any overpayments	1812 2,5	520	1812	2,520	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804 9	20*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805 1,8	340*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251 1	10	2251	55	Extension for reply within first month	
1. BASIC FILING FEE	1252 4	120	2252	210	Extension for reply within second month	
Large Entity Small Entity	1253 9	50	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Pee Paid Code (\$) Code (\$)	1254 1,4	180	2254	740	Extension for reply within fourth month	
1001 770 (2001 385 Hillity filing fee	1255 2,0	10	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee 770.00	1401 3	30	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402 3	30	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403 2	90	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451 1,5	10	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 770.00	1452 1	10	2452	55	Petition to revive - unavoidable	
	1453 1,3	30	2453	665	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from	1501 1,3	30	2501	665	Utility issue fee (or reissue)	
Extra Claims below Fee Paid Total Claims 15 20** = 0 X 18 = 0.00	1502 4	80	2502	240	Design issue fee	
Total Claims 15 -20** = 0	1503 6	40	2503	320	Plant issue fee	
Claims 2 - 3 - 2		30	1460	130	Petitions to the Commissioner	
	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Description	1806 1	80	1806		Submission of Information Disclosure Stmt	
Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809 7	70	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	-,-
1203 290 2203 145 Multiple dependent claim, if not paid	1810 7	70	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent daims over original patent	1801 7	70	2801	205	examined (37 CFR 1.129(b)) Request for Continued Examination (RCF)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		000	1802		Request for Continued Examination (RCE) Request for expedited examination of a design application	
	Other fee (specify)					
SUBTOTAL (2) (\$) 0.00	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0.00					
**or number previously paid, if greater; For Reissues, see above						

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No.

'Attorney/Agent)

52,284

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

C. Allen Smith, Kenneth B. Close, Richard C. Beck, Jay S. Shultz, David J. Baer,

Susan E. Shawver, Paul W. Estey, Deepak R. Parikh, and Kenneth B. Stewart, Jr.

Application No.:

Group No.:

Filed: 11/12/03

Examiner:

For: LAMINATES OF ELASTOMERIC AND NON-ELASTOMERIC POLYOLEFIN BLEND

MATERIALS

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number <u>EL999246338US</u> Date of Deposit 11/12/2003

I hereby state that the following attached paper or fee

- 1. Fee Transmittal Sheet (1 page)
- 2. New Application Transmittal with Added Pages for Application Transmittal Where Benefit of Prior US Applications Claimed w/duplicate (4 pages)
- 3. Patent Application Data Sheet (8 pages)
- 4. Divisional Patent Application with Title Page, Abstract and Drawing (45 pages)
- 5. Check Number 23665 for \$770.00 (1 page); and
- 6. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Deborah Anne Weiner

Signature of person mailing paper or fee